

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ERIE INSURANCE COMPANY,)	
)	
Plaintiff/Counter-Defendant,)	
)	
vs.)	No.: 3:19-cv-00375-TRM-HBG
)	
CLAIRE RAUSER AND CAROL)	
RAUSER,)	
)	
Defendant/Counter-Plaintiffs,)	
)	
AND)	
)	
CLAIRE RAUSER AND CAROL)	
RAUSER,)	
)	
Third-Party Plaintiffs,)	
)	
vs.)	
)	
HITSON INSURANCE, INC., BRYAN)	
INSURANCE GROUP, MATTHEW)	
BRYAN, AND MICHELE SELF,)	
)	
Third-Party Defendants.)	

**MOTION ON BEHALF OF ERIE INSURANCE COMPANY
TO BIFURCATE TRIAL PURSUANT TO HODGES V. S.C. TOOF & CO.**

COMES the plaintiff / counter-defendant, Erie Insurance Company (hereinafter “Erie”), and without waiving its Motion for Summary Judgment [Doc. 100], and while denying that any conduct on the part of Erie could be considered deserving of or supporting an award of punitive damages, it hereby requests, pursuant to Hodges v. S.C. Toof & Co., bifurcation of the main civil action issues (liability and damages) from the issues pertaining to punitive damages.

ERIE INSURANCE COMPANY

By: /s/ S. Morris Hadden
S. Morris Hadden (BPR #: 000747)
Caroline Ross Williams (BPR #: 029454)
HUNTER, SMITH & DAVIS, LLP
1212 North Eastman Road
Kingsport, TN 37664
P: (423) 378-8820; F: (423) 378-8801
E-mail: mhadden@hsdlaw.com
P: (423) 378-8837; F: (423) 378-8801
E-mail: cwilliams@hsdlaw.com

By: /s/ Kenneth A. Calderone
Kenneth A. Calderone (*Admitted Pro Hac Vice*)
Hanna, Campbell & Powell LLP
3737 Embassy Parkway; Suite 100
Akron, OH 44333
(330) 670-7324; Fax: (330) 670-7440
Email: kcalderone@hcplaw.net

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **Erie Insurance Company's Motion to Bifurcate** has been filed via the Court's CM/ECF system, which provides notice to the office of counsel of record, on this the 13th day of October 2021, as follows:

David A. Draper, Esq.
Jared S. Garceau, Esq.
LEWIS THOMASON
620 Market Street
Knoxville, TN 37901

Robert Crawford, Esq.
Nathaniel Moore, Esq.
KRAMER RAYSON LLP
800 South Gay Street, Suite 2500
Knoxville, TN 37901

Jeffrey P. Hubbard, Esq.
Hubbard, Mitchell, Williams & Strain, PLLC
1062 Highland Colony Parkway, Suite 222
Ridgeland, MS 39157

HUNTER, SMITH & DAVIS, LLP

/s/ S. Morris Hadden

S. Morris Hadden